paid to workmen in nationalised banks and other public sector undertakings;

(b) whether there is any proposal under Government's consideration to bring uniformity in the payment of dearness allowance to all the public sector undertakings employees; and

(c) if so, what are the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI S. M. KRISHNA): (a) In most of the Central Public Sector Enterprises dearness allowance is being paid @ 1.30 per point increase in the quarterly average of AICPI (Simla Series 1960-100). In some of the Public Enterprise which are adopting scale of pay akin to the Central Government employees, D. A. is being paid at Central Government rates. A handful are under the Bombay or Bengal Chamber of Commerce DA formula. The employees of the nationalised banks are paid D.A. at the following rates for every rise of 4 points above 200 in the quarterly average of All India Consumer Price index (base 1960-100).

(1) Subordinate Staff @2% of pay
(2) Clerical Staff @1.58% of pay subject to a minimum of Rs. 15.80.

(b) and (c) Government is of the view that all Central Public Enterprises must follow uniformly the Industrial DA formula *i.e.* Rs. 1.30 per point shift in AICPI (Simla Series 1960-100).

**Bombay High Court Judgement on Take over of Textile Mills**

194. SHRI SURESH KALMADI:
SHRI S. W. DHABE:

Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that the Bombay High Court has in a recent judgement held Government takeover of 13 textile mills as illegal;

(b) if so, what are the details of the case and the salient features of the judgement;

(c) how many of these 13 textile mills are functioning at present; and

(d) what steps Government have taken or propose to take in the matter in the light of the High Court judgement?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND IN THE DEPARTMENT OF SUPPLY (SHRI NIHAR RANJAN LASKAR): (a) and (b) In the matter of Writs filed by Elphinstone Spinning and Weaving Mills, Jam Manufacturing Mills and New City of Bombay Manufacturing Mills challanging, *inter-alia*, the Constitutional validity of the Take Over of the management of these Mills, the Bombay High Court has, in its judgement delivered on June 13, 1984 held that the Textile Undertakings (Taking Over of Management) Act, 1983, infringed the petitioners fundamental rights under Articles 14 and 19 (1) (g) of the Constitution and was invalid, qua the petitioners. In the matter of a similar writ filed by Shree Sitaram Mills, the High Court has upheld the legality of the take over of management but has issued orders for return the Real Estate Division to the erstwhile owner Company on the ground that this was not relatable to the textile undertaking.

(c) Out of 13 Textile Undertakings taken over at Bombay, 12 mills are functioning at present.

(d) Government are seized of the matter. The Bombay High Court has granted certification under Articles 132(1) and 133 of the Constitution for leave to appeal to the Supreme Court. The Bombay High Court has also stated operation of the orders in the petitions for 8 weeks.

**Increase of Emoluments of Armed Forces Personnel**

195. SHRI S. W. DHABE: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that Government are considering the question